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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,278	04/14/2000	Kazuyuki Kurita	0879-0261P	9589
7590	04/22/2004		EXAMINER	
Birch Stewart Kolasch & Birch LLP P O Box 747 Falls Church, VA 22040-0747			JERABEK, KELLY L	
			ART UNIT	PAPER NUMBER
			2612	
			DATE MAILED: 04/22/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/550,278	KURITA, KAZUYUKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kelly L. Jerabek	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 February 2004.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-3 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                     | Paper No(s)/Mail Date. _____ .  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____ .                                  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1 and 2 rejected under 35 U.S.C. 102(b) as being anticipated by Sergeant et al. US 5,627,616.**

Re claim 1, Sergeant discloses in figure 9 a dome camera surveillance system. The dome camera surveillance system includes an operation part (100) that outputs a control signal that is distributed by a signal distribution unit (104) to pan and tilt a variety

Art Unit: 2612

of dome cameras (col. 6, lines 15-52). The dome camera surveillance system also includes a data converter that converts communication data outputted from the operation part (100) to provide a serial communication and transmits the communication data to the dome controller (110) to control movements of the pan motor (68) (col. 7, lines 8-13 and 60-67; col. 8, lines 1-10).

Re claim 2, the data converter includes a communication receiver (132) that automatically recognizes a type of data format of the communication data outputted from the operation part (col. 7, lines 60-67).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Sergeant as applied to claim 1 above, and further in view of Cortjens et al. US 5,515,099.**

Re claim 3, Sergeant includes all of the limitations according to claim 1 above. However, Sergeant does not state that the data converter includes a switching device that is operated by a user to designate a type of data format of the communication data outputted from the operation part.

Cortjens discloses in figure 1, a videoconferencing system capable remotely controlling the pan, tilt, zoom, and focus of cameras. The videoconferencing system includes a control panel (13) that provides functions such as panning, tilting, zooming, and focusing remote cameras (col. 7, lines 10-32). Remote cameras may be panned or tilted via the data port on a codec (16) (col. 8, lines 26-42). In order to establish a connection between codecs it is sometimes necessary to allow a user to designate a type of data format for the communication data. Therefore, a switching device is provided that a user may operate in order to designate a type of data format of the communication data outputted (col. 7, lines 34-60). Remote control pan-head cameras allowing a user to designate a type of data format of the communication data are well known and used in the art as evidenced by Cortjens. Therefore, it would have been obvious for one skilled in the art to have been motivated to include the switching device operated by a user to designate a type of data format of the communication data as disclosed by Cortjens in the dome camera surveillance system disclosed by Sergeant. Doing so would provide the benefit of allowing remote cameras to be controlled by allowing a user to designate a type of data format so that the communication data transmission is successful, as suggested by Cortjens (col. 8, lines 3-25).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Korein et al. US 6,226,035 discloses an adjustable imaging system with wide angle capability. The information disclosed in this document regarding the pan/tilt/zoom controller of a camera is pertinent material.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contacts***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Kelly Jerabek whose telephone number is (703) 305-8659. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached at (703)-305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

The fax number for submitting all Official communications is (703) 872-9306.

The fax number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at (703) 746-3059.

KLJ

VULE  
PRIMARY EXAMINER